

DENIAL

RESOLUTION NO. A-_____

1 WHEREAS, Adams Enterprises Inc. dba Town & Country Homes, hereinafter Appellant,
2 is constructing a single-family dwelling located at 7420 Otoe Court; and

3 WHEREAS, the Impact Fee Administrator calculated the impact fees for this use based
4 upon the Impact Fee Schedules beginning January 1, 2004 for a single-family dwelling with a 1"
5 water meter; and

6 WHEREAS, the Appellant filed its Notice of Appeal appealing the impact fee
7 determination and requesting that the impact fees be waived or reduced as the Appellant's
8 single-family dwelling is located in the Fox Hollow neighborhood which already has
9 infrastructure improvements in place to serve the single-family dwelling and, therefore, the
10 Appellant's development should be treated the same as those developments in other areas of
11 the City which had infrastructure improvements in place and were granted category exemption
12 from impact fees; and

13 WHEREAS, the City Council finds that the impact fees were correctly calculated as the
14 requested waiver or reduction based upon the prior provision of infrastructure improvements
15 within the Fox Hollow neighborhood does not meet any of the stipulations or conditions required
16 for reduction in or exemption from impact fees.

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln,
18 Nebraska:

19 That the impact fee notice of appeal filed by Adam Enterprises, Inc. dba Town &
20 Country Homes on December 22, 2005 is hereby denied for the following reasons:

- 1 1. The requested exemption does not meet any of the stipulations or conditions
2 required for reduction or exemption from arterial street impact fees.
3 2. The impact fees were correctly calculated.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2005:

Mayor